



## **Bail Bond Industry Meeting Minutes June 20 and 27, 2006 – 10:00 a.m.**

### **Attendees:**

Pat Brown, Sherri Lonsbery, Mike McGuire, Forrest Marshall, Judy Charney, Michael Patillo, George Melendez, Andy Forster, Rex Hawkins, Stephanie Pompa, Jason Jones, Holly Bishop, Josh Haarbrink, Anthony Skaats, Denny Behrend, Gayle Brandon, Barry Arps, Shirley Arps, Greg Alexander, Gordon Walgren, Michele Strong, Sharon Owens, Sara Martinez, Troy Hansen, Eric Arps, CJ Johnson, Ron Moores, Mike Rocha, Ralph Storey.

### **Background:**

The Department of Licensing (DOL) agreed to facilitate meetings with the bail bond industry to discuss possible amendments to RCW 18.185 for next legislative session. These meetings were intended as a forum for the industry to meet and begin discussions regarding possible law changes. The industry will be responsible for bringing any official proposals to the legislature.

The following topic areas are broad, and will be worked by the industry committee to prioritize and narrow down the ideas. This is brainstorm material only, and not set in stone.

### **Proposed changes to RCW 18.185:**

- Clarifying definitions:
  - Surrender
  - Runners
  - Locating
  - Custody
  - OIC License required
  - Management/Supervisor
  - Clear descriptions - "If you are doing . . . . you must have a license."
  - Or Exemptions: "If you are doing . . . . you do NOT need a license."
  - Bail Credit
- Standardize the surrender process throughout the state
- Extradition process from other facilities → if incarcerated in another jurisdiction
- Rework language on revocations – "No relatives" – to better prohibit family members from carrying on the business when a bail bond agent license is revoked
  - Revoked licensees cannot finance a bail bond agency
  - Revoked licensees cannot profit from a bail bond agency
- Clarify "Out of State" bail recovery requirements
- Fingerprint checks for bail bond agents – WSP and FBI (drop 10 year rule)
- BBRA fingerprint process will need to be changed to meet new WSP processes
- Armed endorsement if armed for bail bond agents or recovery agents



- 3 years experience *and* pass an the exam for qualified agents
- Photos on licenses
- Increase amount of surety bond requirement
- Surety bond requirement for recovery agents
- Audits:
  - New company within 1<sup>st</sup> year or 2
  - Periodic audit of ongoing company records
  - Fines for violations
    1. Independent auditor?
    2. State auditors?
    3. DOL auditors?
- BBRA individuals must have a business license/UBI, etc. – clarify reporting requirements;
- BBRA company licensing (*would require restructuring or current set-up for BBRA licensing requirements*)
- Access to booking photos
- Develop pre-license exam

#### **Changes proposed WAC 308-19:**

- Continuing education → Holly Bishop proposed opening WAC 308-19 to require 2-4 hours of continuing education. This is not a legislative change to RCW. DOL can set up a meeting to address this issue and set the details of filing this rule if there is industry interest.

#### **Other:**

- Barry Arps brought handouts proposing increase to minimum premium percentage – suggesting change from 10% to 15% (regulated by OIC and Surety Companies)
- Courts standardize the notification process (RCW 10.19?)
- Courts standardize the exoneration process (RCW 10.19?)
- Insurance agent exam needs re-worked to apply to bail bond agents – Office of Insurance Commissioner
- Include in jail pamphlet the difference between BBA / BBRA / PI exemptions
- Standardized surrender form by DOL

#### **Committee Work:**

Gayle Brandon and Denny Behrend volunteered to head the industry committee to work independently from DOL to continue work for proposals to the legislature. Barry Arps, Mike McGuire and Rex Hawkins have agreed to work with them.



**Future:**

- Prioritize top five issues you would like to see changed in RCW 18.185
- Another meeting will be scheduled in August to discuss the priorities and committee work.
- DOL will provide training at the Washington State Bail Bond Agents' Association meeting September 22, 2006 in Yakima. Instructors include Mary Haglund, Program Manager for the Public Protection Section, U.S. Marshal Steve Thompson, Washington Joint Fugitive Task Force, and Rhonda Myers, Regional Audit Manager and Doug Peterson, Auditor, from the Department of Licensing.

**For more information on the committee or the WSBA, contact Gayle Brandon at:**

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